

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-cv-00629-RJC-DSC**

**JOHN W. TAYLOR, Trustee for the
Bankruptcy Estate of Newbold
Corporation,**

Plaintiff,

v.

**NEWBOLD SERVICES, LLC, ERWIN
CARTER, ROGER BIRDSONG,
LORIN E. MANLEY, as Administrator
for the Estate of William G. Manley,
a/k/a Willy G. Manley, IH SERVICES,
INC., and MICHAEL G. PUTNAM,**

Defendants.

ORDER

THIS MATTER comes before the Court upon Plaintiff's consent motion to refer the above-captioned case to the United States Bankruptcy Court for the Western District of North Carolina. (Doc. No. 28). In support of his Motion, Plaintiff states as follows:

1. This is an action for declaratory relief, for the avoidance of transfers and for recovery of damages.
2. On December 10, 2009, Newbold Corporation filed a voluntary bankruptcy petition under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Western District of North Carolina (the "Bankruptcy Court"); Bankruptcy Case No. 09-33421. On June 25, 2010, the case was converted to a case under Chapter 7 of the Bankruptcy Code (the "Bankruptcy Case").
3. Plaintiff is the duly appointed and acting Chapter 7 Bankruptcy Trustee in the Bankruptcy Case.

4. The Court has the authority to refer this action to the Bankruptcy Court pursuant to the July 31, 1984, Local Rule Referencing all Bankruptcy Matters to the Bankruptcy Court and Providing for Bankruptcy Court Clerk (the "Local Rule of Reference"). The Local Rule of Reference states that:

(b) Reference to the Bankruptcy Judge is hereby made of:

(1) All cases under Title 11 and all core proceedings arising under Title 11, or arising in a case under Title 11, subject to the reference exception and powers of the Bankruptcy Judge as set out in the provisions of the "Bankruptcy Amendments and Judgeship Act of 1984."


(2) All proceedings that are not core proceedings but that are otherwise related to a case under Title 11, subject to the reference exception and powers of the Bankruptcy Judge as set out in the provisions of the "Bankruptcy Amendments and Judgeship Act of 1984."

5. This action arises under Title 11 of the United States Code and is related to the Bankruptcy Case.

6. All parties to this action consent to the reference of this case to the Bankruptcy Court.

IT IS, THEREFORE, ORDERED that, for good cause shown, this matter shall be referred to the Bankruptcy Court for the Western District of North Carolina for all pretrial matters, for trial, for the entry of final judgments, and for any other appropriate relief in this matter.

Signed: August 29, 2012


Robert J. Conrad, Jr.
Chief United States District Judge 